

**STILLWATER COUNTY PLANNING BOARD
MINUTES OF MEETING**

Wednesday, December 2nd, 2020 at 7:00p.m.
Stillwater County Pavilion,
328 5th Avenue N., Columbus, MT

BOARD MEMBERS PRESENT: Carolyn Hutson, Dan Sayer, Gary Enstrom, Steve Arnold, Curtis Jacobs and Ray Karls; Karen Heyneman, Jerry Edwards via Zoom

BOARD MEMBERS NOT PRESENT: Bob VanOosten

STAFF: Forrest Mandeville, Christine Baker and Stephanie Ray via Zoom

OTHERS: Donald Hutson; Fiona Nave, Jeff Bollan via Zoom

I. CALL TO ORDER. Gary Enstrom President of the board called the meeting to order at 7:00 p.m.

A. Public Comments. Nothing at this time

B. Disclosures of Conflicts of Interest and Ex-Parte Communications. Nothing at this time.

II. MINUTES:

A. Minutes: Motion to approve Curtis, second Dan; motion passed.

III. PUBLIC HEARING:

A. Stillwater County Zoning and Development Regulations:

1. Open Public Hearing: Gary Enstrom as chair opened the Public Hearing

2. Presentation by Staff: Forrest gave an overview of the proposed draft Stillwater County Development Regulations covering definitions, and allowed, permitted and conditional uses. Forrest presented a flowchart outlining Agriculture/Accessory Use/ Home Occupation, Single Family Residential and Commercial/Industrial. Agriculture/Accessory Use/ Home Occupation would be allowed, requiring no application or permit. Single Family Residential development would require contacting the Planning Office for a Coordinated Development Permit. This would streamline the existing permitting process by allowing the Planning Department to provide a packet to the applicant, route to the appropriate departments for review, comments and approval and then returning to the applicant. This would be an increased level of service provided by the County to our residents by having the Planning Office assist the applicant through the necessary permitting procedure and allowing for a one

stop shop. In addition, this would allow the Planning Department to have a pulse on new development in the County. Aside from subdivision review, the Planning Department knows very little of development in the County. Commercial /Industrial Development would require a Conditional Use Permit. The applicant would submit an application, staff would review and forward to the Zoning Commission (Planning Board) for a Public Hearing. The Zoning Commission would then approve, deny or conditionally approve and recommend to the County Commission which would act as the Board of Adjustment. The Board of Adjustment would then approve, deny or conditionally approve. A Variance would follow the same procedural steps through application, staff review, Public Hearing with Zoning Commission with Recommendation (approve, deny, conditionally approve) to Board of Adjustment for approval, denial or conditional approval. Forrest then discussed the draft Signage Regulations pertaining to the Scenic Signage Corridor extending south on Hwy 78 past the Yellowstone River Bridge to just before Roscoe. All existing signs would be grandfathered in and proposed regulations would not affect signs advertising a business located on the site. Applicants would submit an application to the Planning Office, staff would then review and issue approval within 30 days if criteria are met. Forrest discussed variances, enforcement, violations, complaint and appellate procedures.

3. **Public Comment:** Gary as chair opened the Public Hearing for public comment. Donald Hutson had questions about the Signage Regulations. Mr. Hutson was concerned how it would impact existing signs in Absarokee, specifically the electrical signs like the one used by the Absarokee School District. Forrest explained that the signs there now would be exempt from regulations and the school sign was exempt as it was not advertising off premise.
4. **Close Public Meeting.** With no further comments, Gary Enstrom, as chair closed the public hearing.
5. **Board Discussion.** Jerry Edwards had a question regarding, Section VI Scenic Corridor Signage pertaining to the language “300 feet from and parallel to Hwy 78”. Jerry wanted clarification of where did that 300 feet extend from, centerline or right of way. Forrest updated the draft to read “extending 300 feet from the edge of the right of way of Hwy 78”. Carolyn referenced Section I(B)(7) General Provisions and Purpose in the draft regulations and wanted to know if there was a state law governing how property owners could utilize their land. Forrest said that the County is empowered through Part 2 Zoning under the authority of Sec. 76-2-201, MCA. The County can regulate uses under the Police Power under Part 2 Zoning. Forrest also cited subdivision regulation was another way government regulates private property use. Carolyn also had a question regarding Section IV(5)(c) Single- Family Residential Development, Approval Criteria. Carolyn wanted to know how a property owner was to determine proper grade and design as not to adversely impact adjacent property owners or nearby waterways and would this now require a property owner to hire an engineer to ensure design is appropriate. Forrest

replied an engineer would not be required by the County under these draft regulations, however most property owners will already utilize engineers in the development process for DEQ, Sanitation and Floodplain regulations. Curtis Jacobs addressed his concerns with the Coordinated Permitting Process. Curtis felt this was a good idea, however had reservations about making it required by applicants to follow this new process. Curtis stated that regulations make more regulations and that this Coordinated Permit would be a great level of service, but did not need to be mandated. Steve Arnold stated the Coordinated Permitting Process would be a great service to offer our public. Steve said that most property owners and developers expect to go the Planning Office for guidance in the development process and currently Stillwater County's Planning Office does not assist in this; having one department oversee the routing of permits and help facilitate the process while removing the need to run from building to building and drops in communication.

6. **Recommendation to the County Commissioners.** Ray Karls made a motion to recommend The Stillwater County Development and Zoning Regulations with revisions to the County Commissioners; Steve Arnold seconded, Ray Karls, Steve Arnold, Jerry Edwards and Karen Heyneman voted in favor; Curtis Jacobs, Carolyn Hutson, and Dan Sayer opposed, Gary Enstrom as President abstained from voting; motion passed 4-3.

IV. UNFINISHED BUSINESS:

- V. **ADJOURN:** Ray made a motion to adjourn the meeting at 8:41pm. Curtis seconded; motion passed.

The next meeting will be on January 6th, 2021 at 7:00 p.m. at the Pavilion.

Christine Baker, Planning